Bertram et al. (U.S. Patent No. 5,796,389). Claims 21, 63, and 84 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidel et al. in view of Wiltshire et al. (U.S. Patent No. 6,409,602).

Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Nolte et al. Claim 25 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Pepper, Jr. Claims 34-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Bertram et al. Claims 12, 54, and 75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Bertram et al.

No new claims have been added, and no claims have been amended or deleted. Applicants respectfully request reconsideration of the rejected claims. Applicants respectfully contend that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art.

Claims Rejections

I. Claims Rejections - 35 U.S.C. §102(b) - Claims 1-2, 5, 13-20, 43-44, 47, 55-62, 64-65, 68, and 76-83

Claims 1-2, 5, 13-20, 43-44, 47, 55-62, 64-65, 68, and 76-83 are pending in the present application and were rejected in the Office Action dated December 10, 2002, under 35 U.S.C. §102(b) as being anticipated by Heidel et al. (U.S. Patent No. 5,342,047). Applicants

respectfully traverse this rejection. Claims 2, 5, and 13-20 depend from independent claim 1; claims 44, 47, and 55-62 depend from independent claim 43; and claims 65, 68, and 76-83 depend from independent claim 64. For brevity, only the basis for the rejection of independent claims 1, 43, and 64 are traversed in detail on the understanding that dependent claims 2, 5, 13-20, 47, 55-62, 65, 68, 76-83 are also patentably distinct over the prior art as they depend directly from claim 1, 43, or 64, respectively. Nevertheless, dependent claims 2, 5, 13-20, 47, 55-62, 65, 68, 76-83 include additional features that, in combination with those of claim 1, 43, or 64, provide further, separate, and independent bases for patentability.

THE EXAMINER'S POSITION

In the final Office Action, the Examiner stated, "Hed[rick] teaches a gaming machine that includes a touch-screen device for controlling, in conjunction with a computer, a game including a slot machine game (8:38-67). Further, Hed[rick] teaches mechanical and video slot games are analogous in that they are interchangeable (5:41-55)...."

Subsequently, the Interview Summary provided by the Examiner, stated:

> Examiner argues that [sic] Hedrick disclosure "Main display 220 may be a mechanical display such as a spinning reel display or a video display such as a CRT. Example of games ... include video slot games, ... spinning reel slot games, etc." (5:45-50) teaches mechanical slot machines and video slot display are recognized equivalents as stated in the Final Rejection. Examiner's stance on Mikan's applicability to the mechanical game embodiment is that Mikan teaches a touch screen that captures screen relative coordinates and sends the coordinates formatted for a computer input expecting coordinate data. In the case of Examiner's combination, a slot machine, controlled by a processor, currently takes electrical input from existing buttons. The input signals created by actuation of the buttons are replaced with an adaptable touch screen. The relative coordinates captured by the touch screen are formatted to represent the actuation

> signals previously generated by the buttons. The touch screen would then perform the same actions whether in connection to a video screen or mechanical device. Thus, Examiner's position is the combination is valid for one of ordinary skill in the art. In the same vein, Applicants argue that Examiner's combination lacks the teaching [sic] an apparatus with a hybridization of a mechanical machine with a touch screen overlay and another apparatus that is a mechanical machine with an interchangeable touch screen overlay.

THE APPLICANTS' POSITION

The references cited by the Examiner teach the use of touch-screens only in conjunction with video slot machines. Respectfully, the references cited by the Examiner do not teach or suggest the use of touch-screens in conjunction with mechanical reel-spinning slot machines. The references cited by the Examiner do not teach that video slot machines and mechanical reel-spinning slot machines as recognized equivalents. Accordingly, the Examiner has provided no support for his assertion that video slot machines and mechanical reel-spinning slot machines are recognized equivalents and/or interchangeable.

Rather, the Hedrick reference merely includes video slot machines and mechanical reel-spinning slot machines in a list as examples of possible games. Interestingly, in the Examiner's supporting quote from Hedrick that lists "video slot game, ... spinning reel slot games," the ellipse (...) replaced "electronic video poker card games, electronic keno games, electronic blackjack games." Thus, using this logic, the Examiner apparently believes that slot machines, video poker, electronic keno, and electronic blackjack are all recognized equivalents. Respectfully, merely citing a reference that includes two devices in a list of examples does not prove that these devices are recognized equivalents and/or interchangeable. The Mikan reference does not mention mechanical reel-spinning slot machines at all.

Simply stated, the Examiner is not citing references for the merits of the disclosures, but rather has apparently formed a personal opinion regarding what different types of gaming machines he feels are commonly known to be recognized equivalents, and is improperly interpreting references in an attempt to find support for his rationale. In the interview of February 22, 2003, the Examiner asked the Applicants to provide any support for their position that video slot machines and mechanical reel-spinning slot machines are not recognized equivalents. The Applicants have provided the requested support references below, and have organized these references into the following three categories.

1. Mechanical Slot Machines are not equivalent to Video Slot Machines since Mechanical Slot Machines provide identifiable advantages over Video Slot Machines.

Contrary to the Examiner's position, numerous patents have documented that mechanical slot machines are not equivalent to video slot machines, since mechanical slot machines provide advantages over pure video slot machines and, as such, there is a recognized continuing need for hybrid slot machines that can combine the advantages of each distinct gaming medium. For example, United States Publication No. 20030027624 states, "Video-based slot machines and mechanical slot machines generally appeal to different segments of the market." Pg. 1, Para. 3. This reference continues, stating:

> To increase the popularity of video-based slot machines, efforts have been made to promote such machines at gaming establishments and in print advertising mediums. Despite such efforts, many traditionalists remain loyal to mechanical slot machines and generally avoid video-based slot machines. In order to draw such traditionalists to video-based slot machines, a need exists for a hybrid slot machine that would appeal to players of mechanical slot machines and act as a steppingstone from mechanical to video-based slot machines.
> Pg. 1, Para. 5.

United States Patent No. 6,224,483 further supports the non-equivalence of mechanical slot machines and video slot machines, explaining:

> Besides using mechanical reels, slot machines have been developed that use video representations of spinning reels. However, video reel slot machines have not been as successful as the mechanical spinning reel slot machines because the players feel that their chances of winning are lower on video slot machines. On a mechanical spinning reel slot machine, a player has a feel for the number of symbols that are located on the reel strip which is mounted around the circumference of the spinning wheel and therefore the player perceives that he knows the odds of each symbol appearing on a payline. In a video slot machine, the player has no way of perceiving how may symbols are possible to appear in each window behind the payline. Therefore, the player perception is that he is receiving a better opportunity of winning on a mechanical spinning reel slot machine.
> Col. 1, lines 35-49.

Yet additional support for the non-equivalence of mechanical slot machines and video slot machines is found in United States Patent No. 6,186,894, which explains:

> The "REEL EM IN" game has the drawback of being entirely a video reel slot machine. In a video reel slot machine, a player cannot physically analyze the size of the reel strip and the player cannot physically estimate the number of symbols on each reel strip. Therefore, many reel slot machine players are uncomfortable playing video reel slot machines since the player has absolutely no feel for the odds on this type of machine.
> Col. 3, lines 31-38.

In conclusion, the gaming art is replete with references that highlight the distinctions between mechanical slot machines and video slot machines. As such, there is ample support for Applicants' position that mechanical slot machines and video slot machines are not recognized equivalents. Indeed, the hybridization of specific advantages from mechanical slot machines and video slot machines into a functional gaming machine has proved to be both highly challenging and patent worthy.

2. Video Slot Machines are not equivalent to Mechanical Slot Machines since Video Slot Machines are not restricted by the traditional mechanical limitations inherent to Mechanical Slot Machines.

Numerous patents also have documented that video slot machines are not equivalent to mechanical slot machines, since video slot machines are not limited by many of the restrictions that are physically inherent to the medium of mechanical reel-spinning slot machines. For example, United States Patent No. 6,179,711 states:

> Video reel slot machines may simulate the play of a mechanical slot machine such as a three reel slot, for example. Because the "reels" are not limited by the geometry of a conventional slot reel, the game can provide a larger number of pay lines or of winning combinations than can a conventional mechanical slot machine.
> Col. 1, lines 30-36.

United States Patent No. 6,464,581 has also documented the implementation advantages and essentially unlimited gaming potential that are emerging from video slot machines that do not exist in the realm of mechanical reel-spinning slot machines. Such a teaching clearly undercuts the Examiner's argument that video slot machines and mechanical slot machines are recognized equivalents. In this regard, the 6,464,581 patent explains:

> When video gaming was first introduced to the gaming world, the first video games were electronic imitations of the traditional slot machines, even using the same symbols, and the same physical formats (e.g., a handle to initiate play), assuring that the transition from mechanical to electronic formats would meet the least resistance. ... The format of play within the electronic or virtual reel games has also progressed from the early duplications of the mechanical reels on a visual screen. The flexibility afforded the games by the use of computers, printed circuit boards, virtual images, and the high information density and volumes that can be used with electronic media, has enabled essentially unlimited formatting and image capability in the equipment.
> Col. 1, lines 35-52.

United States Patent No. 6,439,993, issued to O'Halloran, further highlights advantages of video slot machines over mechanical slot machines, and the non-equivalence of these two gaming mediums. The O'Halloran patent discloses a video gaming machine having a plurality of simulated spinning reels capable of substituting a wild card symbol at various times on any of the reels. Such a technique would not currently be possible on a traditional stepper motor reel.

United States Patent No. 6,375,570, issued to Poole, discloses still other advantages of video slot machines over mechanical slot machines, and hence the non-equivalence of these two distinct types of games. The Poole patent discloses a video gaming machine that not only uses reels to display and determine outcomes, but also uses the same reels to perform exhibitions for the player. As part of these exhibitions, the reels can be animated or used to form a background screen for exhibitions. Specifically, the Poole patent defines these exhibitions as follows:

> The term, exhibition as used in this specification means: (a) reels which are animated; and/or (b) an audio, visual or audiovisual representation of a person, place or thing in motion or at rest, including video images, graphics, activities, animations, virtual representations, simulations or movement. Animated reels are reels which have movement or simulated movement or reels which vibrate or shake, rotate, flip over, move upwards, downwards, or from side to side, bend, transform into a different shape or size, separate into different parts, expand or contract, change colors, shades or patterns, illuminate, make sounds or otherwise have dynamic characteristics. The computer can provide the exhibitions in one screen shot or in a succession of screen shots.
> Col. 2, lines 17-31.

Again, such a technique would not be possible when utilizing a traditional stepper motor reel.

In conclusion, the gaming art is replete with references that highlight the new found advantages in gaming technology that have been achieved using video slot machines that have

not been possible with mechanical slot machines. As such, there is ample support for Applicants' position that video slot machines and mechanical slot machines are not recognized equivalents. Moreover, there is ample support for Applicants' position that video slot machines provide various types of gaming functionality that have not been believed to be adaptable to mechanical slot machines.

3. Inventions that have been able to successfully port gaming functionality from video slot machine technology into mechanical slot machine technology have been found to be patentable by the United States Patent and Trademark Office.

Perhaps most notably, the United States Patent and Trademark Office has already determined on several occasions that an invention in which the functionality of video slot machine technology is successfully adapted for use in a mechanical slot machine is patentably distinct and not within the ability of one of ordinary skill in the art, as the Examiner contends. Respectfully, the Examiner's position that video slot machines and mechanical slot machines are interchangeable and, thus, that it is obvious to combine components and/or functionality from video slot machines into mechanical slot machines is unsupported and, in fact, is clearly contradicted by the patent references in the gaming art.

A prime example of the patentability and non-obviousness of this type of slot machine hybridization is United States Patent No. 6,517,433 issued to Loose et al., entitled Reel Spinning Slot Machine with Superimposed Video Image. The Loose et al. invention is described as follows:

> A spinning reel slot machine comprises a plurality of mechanical rotatable reels and a video display. In response to a wager, the reels are rotated and stopped to

> randomly place symbols on the reels in visual association with a display area. The video display provides a video image superimposed upon the reels. The video image may be interactive with the reels and include such graphics as payout values, a pay table, pay lines, bonus game features, special effects, thematic scenery, and instructional information.
> Abstract. (emphasis added)

Thus, the Loose et al. patent has adapted the functionality of a video display from a video slot machine and superimposed the video display over the spinning reels of a mechanical slot machine. If the Examiner's position that mechanical slot machines and video slot machines are interchangeable was correct, the invention of the Loose et al. patent could not be found to be patentably distinct from the prior art. It should be noted the Loose et al. patent is not prior art to the invention of the present application, since the present application significantly pre-dates the Loose et al. patent. It should also be noted, as is clear from reading of the Loose et al. patent and the present application, that the invention of the present application overcomes a far more difficult engineering challenge than that of the Loose et al. patent.

Additionally, United States Patent No. 4,448,419 issued to Telnaes, is also directed towards an invention in which the functionality of video slot machine technology is successfully adapted for use in a mechanical slot machine. Specifically, the Telnaes patent teaches the use of virtual mapping in a mechanical slot machine. Prior to the Telnaes patent, the odds in a mechanical slot machine, and thus the possible maximum payout awards, were limited by the number of payout indicators on the stopping positions of a reel's periphery. Video slot machines had no such limitations, which were due to the geometry of an actual physical reel, since the odds of winning an award were electronically mapped. The Telnaes patent adapted this electronic or "virtual mapping" to mechanical slot machines. The Telnaes patent specifically

states that a major benefit of the virtual mapping invention is to increase the marketability and competitiveness of mechanical slot machines with pure electronic video slot machines. Col. 2, lines 48-51. Again, such an invention would not be patentable according to the Examiner's unsupported "interchangeability" argument.

In conclusion, an Examiner cannot maintain a rejection based on his own opinion as to what is common knowledge in an art (i.e., recognized equivalents) without any supporting references, after the Applicant has challenged the Examiner's supporting rationale and produced numerous references that contradict the Examiner's opinion as to what is common knowledge in that art. MPEP. 2144.03. The Heidel et al. reference fails to teach or suggest the claimed invention of the present application, because the Heidel et al. reference is directed towards a touch-screen used in conjunction with video gaming machines, as is clearly stated throughout the patent. In contrast, the claimed invention of the present application is directed towards utilizing a substantially transparent touch panel in conjunction with mechanical reel-spinning gaming machines. None of the cited references even contemplate the possibility of utilizing a touch panel located in front of mechanical reels. The act of controlling mechanical components (e.g., reels), using substantially transparent touch panels that are placed in front of the mechanical components being controlled, is completely novel. The claimed invention brings this previously impossible type of interactive play to the mechanical reel game environment.

Accordingly, since the Heidel et al. reference does not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the

35 U.S.C. §102(b) rejection of claims 1-2, 5, 13-20, 43-44, 47, 55-62, 64-65, 68, and 76-83 has been overcome.

II. Claims Rejections - 35 U.S.C. §103(a) - Claims 3, 45, and 66

Claims 3, 45, and 66 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Nolte et al. (U.S. Patent No. 6,165,070). Applicants respectfully traverse this rejection. Claim 3 depends from independent claim 1, claim 45 depends from independent claim 43, and claim 66 depends from independent claim 64. For brevity, only the basis for the rejection of independent claims 1, 43, and 64 are traversed in detail on the understanding that dependent claims 3, 45, and 66 are patentably distinct over the prior art as they depend directly from claim 1, 43, or 64, respectively. Nevertheless, dependent claims 3, 45, and 66 include additional features that, in combination with those of independent claim 1, 43, or 64, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al. reference does not teach a user selectively stopping spinning reels. Nevertheless, the Examiner asserts that Nolte et al. teaches a video slot game machine in which a user has the ability to selectively stop individual slot reels. However, both the Heidel et al. reference and the Nolte et al. reference are directed towards using touch-screens in conjunction with video gaming machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. Once again, neither of the cited references teach,

suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 1, 43, and 64. The references relate only to video display gaming machines. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al. and Nolte et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 3, 45, and 66 has been overcome.

III. Claims Rejections - 35 U.S.C. §103(a) - Claims 4, 46, 67

Claims 4, 46, 67 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Pepper, Jr. (U.S. Patent No. 4,353,552). Applicants respectfully traverse this rejection. Claim 4 depends from independent claim 1, claim 46 depends from independent claim 43, and claim 67 depends from independent claim 64. For brevity, only the basis for the rejection of independent claims 1, 43, and 64 are traversed in detail on the understanding that dependent claims 4, 46, 67 are patentably distinct over the prior art as they depend directly from claim 1, 43, or 64, respectively. Nevertheless, dependent claims 4, 46, 67 include additional features that, in combination with those of claims 1, 43, or 64, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al. reference does not teach a pressure sensitive user interface, only a touch sensitive interface. Nevertheless, the Examiner asserts that the Pepper, Jr. reference teaches mounting a pressure sensitive surface on a video screen, and that movement in

different directions and at variable pressure can be translated into a touch-screen interface. However, both the Heidel et al. reference and the Pepper, Jr. reference are directed towards using touch-screens in conjunction with video gaming machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. Once again, neither of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of the mechanical reels, as required by independent claims 1, 43, and 64. Again, these references relate only to the use of touch technology in conjunction with video gaming machines. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al. and Pepper, Jr. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 4, 46, 67 has been overcome.

IV. Claims Rejections - 35 U.S.C. §103(a) - Claims 6-12, 48-54, and 69-75

Claims 6-12, 48-54, and 69-75 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Bertram et al. (U.S. Patent No. 5,796,389). Applicants respectfully traverse this rejection. Claims 6-12 depend from independent claim 1, claims 48-54 depend from independent claim 43, and claims 69-75 depend from independent claim 64. For brevity, only the basis for the rejection of independent claims 1, 43, and 64 are traversed in detail on the understanding that dependent claims 6-12, 48-54, and 69-75 are patentably distinct over the prior

art as they depend directly from claim 1, 43, or 64, respectively. Nevertheless, dependent claims 6-12, 48-54, and 69-75 include additional features that, in combination with those of claims 1, 43, or 64, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al. reference does not teach the composition of the touch-screen employed in the gaming machine. Nevertheless, the Examiner asserts that the Bertram et al. reference teaches the use of a touch-screen to reduce noise and cost. The Examiner also asserts the Bertram et al. reference discloses that a touch-screen can utilize a plurality of transducers, and can be constructed from a composite material, such as glass, a metallic material, or a polymeric material. However, once again, both the Heidel et al. reference and the Bertram et al. reference are directed towards using touch-screens in conjunction with video machines. Again, in contrast the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. Specifically, the Bertram et al. reference refers to the use of a touch-screen on a CRT (cathode ray tube) screen (i.e., a computer screen). Once again, neither of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 1, 43, and 64. These references are limited to video gaming machines. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al. and Bertram et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 6-12, 48-54, and 69-75 has been overcome.

V. Claims Rejections - 35 U.S.C. §103(a) - Claims 21, 63, and 84

Claims 21, 63, and 84 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Wiltshire et al. (U.S. Patent No. 6,409,602). Applicants respectfully traverse this rejection.

The Examiner admits that the Heidel et al. reference does not teach using a plurality of touch panel terminals. Nevertheless, the Examiner asserts that the Wiltshire et al. reference discloses the use of multiple gaming terminals in a networked environment. However, the Heidel et al. reference is directed towards using touch-screens in conjunction with video machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. The Wiltshire et al. reference is directed towards a networked gaming system having a server/host computer connected to a plurality of remote client/terminal computers via a network interface and communication pathways.

While the Wiltshire et al. reference does teach the concept of connecting touch-screen display devices to the system and the concept of connecting mechanical reel games to the system, the Wiltshire et al. reference does NOT teach utilizing substantially transparent touch

panels to control mechanical components (e.g., reels) located behind the touch panels, i.e., in conjunction with mechanical reel-spinning gaming machines. There is no teaching in Wiltshire, et al. to combine touch-screen technology with a mechanical reel gaming machine. Once again, neither of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 21, 63, and 84. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al. and Wiltshire et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 21, 63, and 84 has been overcome.

VI. Claims Rejections - 35 U.S.C. §103(a) - Claim 24

Claim 24 is pending in the present application and was rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Nolte et al. Applicants respectfully traverse this rejection. Claim 24 depends from independent claim 22. For brevity, only the basis for the rejection of independent claim 22 is traversed in detail on the understanding that dependent claim 24 is patentably distinct over the prior art as it depends directly from claim 22. Nevertheless, dependent claim 24 includes additional features that, in combination with those of claim 22, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al., Hedrick et al., and Beeteson et al. references do not disclose a user selectively stopping spinning reels. However, the Examiner asserts that Nolte et al. teaches a video slot game machine in which a user has the ability to selectively stop individual slot reels. The Examiner also asserts that Heidel et al. teaches that buttons and touch-screen controls are interchangeable.

Once again, the Heidel et al., Hedrick et al., Beeteson et al., and Nolte et al. references are all directed towards using touch-screens in conjunction with video machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels, i.e., in conjunction with mechanical reel-spinning gaming machines. Accordingly, none of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claim 22. In this regard, please refer to the detailed response stated above in Section I.

Therefore, since the Heidel et al., Hedrick et al., Beeteson et al., and Nolte et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claim 24 has been overcome.

VII. Claims Rejections - 35 U.S.C. §103(a) - Claim 25

Claim 25 is pending in the present application and was rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Pepper, Jr.

Applicants respectfully traverse this rejection. Claim 25 depends from independent claim 22. For brevity, only the basis for the rejection of independent claim 22 is traversed in detail on the understanding that dependent claim 25 is patentably distinct over the prior art as it depends directly from independent claim 22. Nevertheless, dependent claim 25 includes additional features that, in combination with those of claim 22, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al., Hedrick et al., and Beeteson et al. references do not teach a pressure sensitive user interface, only a touch sensitive interface. Nevertheless, the Examiner asserts that the Pepper, Jr. reference teaches mounting a pressure sensitive surface on a video screen, and that movement in different directions and at variable pressure can be translated into a touch-screen interface. However, the Heidel et al., Hedrick et al., Beeteson et al., and Pepper, Jr. references are all directed towards using touch-screens in conjunction with video machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. Once again, none of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 22. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al., Hedrick et al., Beeteson et al., and Pepper, Jr. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel

gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claim 25 has been overcome.

VIII. Claims Rejections - 35 U.S.C. §103(a) - Claims 34-41

Claims 34-41 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Bertram et al. Applicants respectfully traverse this rejection. Claims 34-41 depend from independent claim 22. For brevity, only the basis for the rejection of independent claim 22 is traversed in detail on the understanding that dependent claims 34-41 are patentably distinct over the prior art as they depend directly from claim 22. Nevertheless, dependent claims 34-41 include additional features that, in combination with those of claim 22, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al., Hedrick et al., and Beeteson et al. references do not teach the composition of the touch-screen employed in the gaming machine. Nevertheless, the Examiner asserts that the Bertram et al. reference teaches the use of a touch-screen to reduce noise and cost. The Examiner also asserts the Bertram et al. reference discloses that a touch-screen can utilize a plurality of transducers, and can be constructed from a composite material, such as glass, a metallic material, or a polymeric material. However, the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references are all directed towards using touch-screens in conjunction with video machines. In contrast, the claimed invention of the present application is directed towards utilizing substantially transparent touch panels to

control mechanical components (e.g., reels) located behind the touch panels i.e., in conjunction with mechanical reel-spinning gaming machines. Specifically, the Bertram et al. patent is directed towards the use of a touch-screen on a CRT screen (i.e., a computer screen). Once again, none of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 22. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 34-41 has been overcome.

IX. Claims Rejections - 35 U.S.C. §103(a) - Claims 12, 54, and 75

Claims 12, 54, and 75 are pending in the present application and were rejected in the Office Action dated July 2, 2002, under 35 U.S.C. §103(a) as being unpatentable over Heidel et al. in view of Hedrick et al., further in view of Beeteson et al., and still further in view of Bertram et al. Applicants respectfully traverse this rejection. Claim 12 depends from independent claim 1, claim 54 depends from independent claim 43, and claim 75 depends from independent claim 64. For brevity, only the basis for the rejection of independent claims 1, 43, and 64 are traversed in detail on the understanding that dependent claims 12, 54, and 75 are patentably distinct over the prior art as they depend directly from claims 1, 43, or 64, respectively. Nevertheless, dependent claims 12, 54, and 75 include additional features that, in

combination with those of claims 1, 43, or 64, provide further, separate, and independent bases for patentability.

The Examiner admits that the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references do not teach the use of a bezel to protect the transducers. Nevertheless, the Examiner asserts that the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references do teach that electrodes/transducers are located substantially near the exterior edge of a screen. Further, the Examiner asserts that it is well known that screens have bezels protecting the outer edge of the screen. However, the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references are all directed towards using touch-screens in conjunction with video machines. The claimed invention of the present application, however, is directed towards utilizing substantially transparent touch panels to control mechanical components (e.g., reels) located behind the touch panels, i.e., in conjunction with mechanical reel-spinning gaming machines. Specifically, the Bertram et al. patent discloses the use of a touch-screen on a CRT screen (i.e., a computer screen). Once again, none of the cited references teach, suggest, or even contemplate the possibility of utilizing substantially transparent touch panels located in front of mechanical reels, as required by independent claims 1, 43, and 64. In this regard, please refer to the detailed response stated above in Section I.

Accordingly, since the Heidel et al., Hedrick et al., Beeteson et al., and Bertram et al. references do not teach or suggest the use of a touch panel in conjunction with mechanical reel gaming machines, Applicants respectfully submit that the 35 U.S.C. §103(a) rejection of claims 12, 54, and 75 has been overcome.

CLOSURE

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. In view of the foregoing discussions, it is clear that the differences between the claimed invention and the prior art are such that the claimed invention is patentably distinct over the prior art. Therefore, reconsideration and allowance of all of claims 1-84 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested. If the Examiner should have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8319. The undersigned attorney can normally be reached Monday through Friday from about 9:30 AM to 5:30 PM Pacific time.

Respectfully submitted,

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BROOKE W. QUIST
Reg. No. 45,030
BROWN RAYSMAN MILLSTEIN FELDER
& STEINER LLP
1880 Century Park East, Suite 711
Los Angeles, California 90067
(310) 712-8300

RLK:elm